

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1503

To amend title XIX of the Social Security Act to require State medicaid plans to cover services of certain clinics operated by children's hospitals and to reimburse such clinics for such services in an amount equal to 100 percent of the costs which are reasonable and related to the cost of furnishing such services.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 7, 1995

Mrs. LINCOLN introduced the following bill; which was referred to the  
Committee on Commerce

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## A BILL

To amend title XIX of the Social Security Act to require State medicaid plans to cover services of certain clinics operated by children's hospitals and to reimburse such clinics for such services in an amount equal to 100 percent of the costs which are reasonable and related to the cost of furnishing such services.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the "Access to Children's  
5       Health Care Act of 1995".

1 **SEC. 2. MANDATORY COVERAGE OF SERVICES OF CLINICS**  
2 **OPERATED BY CHILDREN'S HOSPITALS**  
3 **UNDER STATE MEDICAID PLANS.**

4 (a) IN GENERAL.—Section 1905(a)(2) of the Social  
5 Security Act (42 U.S.C. 1396d(a)(2)) is amended—

6 (1) by striking “and (C)” and inserting “(C)”;

7 and

8 (2) by striking the semicolon at the end and in-  
9 serting the following: “, and (D) qualified children’s  
10 hospital clinic services (as defined in subsection  
11 (l)(3));”.

12 (b) QUALIFIED CHILDREN’S HOSPITAL CLINIC  
13 SERVICES DESCRIBED.—Section 1905(l) of such Act (42  
14 U.S.C. 1396d(l)) is amended by adding at the end the fol-  
15 lowing new paragraph:

16 “(3)(A) The term ‘qualified children’s hospital clinic  
17 services’ means services of the type described in subpara-  
18 graphs (A) through (C) of section 1861(aa)(1) and any  
19 other ambulatory services for which payment may be made  
20 under the State plan, when furnished to a patient of a  
21 qualified children’s hospital clinic (as defined in subpara-  
22 graph (B)).

23 “(B) The term ‘qualified children’s hospital clinic’  
24 means an entity which—

25 “(i) is operated by a hospital whose inpatients  
26 are predominantly individuals under 18 years of age;

1 “(ii) meets the requirements to receive a grant  
2 under section 330 of the Public Health Service Act,  
3 or which would meet such requirements but for the  
4 entity’s failure to meet the requirements of section  
5 330(e)(3)(G) of such Act;

6 “(iii) has a consumer advisory board composed  
7 of individuals, a majority of whom are immediate  
8 family members of patients served by the entity, who  
9 advise the hospital operating the entity on the enti-  
10 ty’s annual budget, the selection of the entity’s gen-  
11 eral director, and other general policies for the en-  
12 tity; and

13 “(iv) has written inpatient and outpatient refer-  
14 ral arrangements in effect with each Federally-quali-  
15 fied health center under paragraph (2)(B) that is lo-  
16 cated or provides services within the service area of  
17 the hospital operating the entity.”.

18 **SEC. 3. REIMBURSEMENT OF QUALIFIED CHILDREN’S HOS-**  
19 **PITAL CLINIC SERVICES AT 100 PERCENT OF**  
20 **REASONABLE COST.**

21 Section 1902(a)(13)(E) of the Social Security Act  
22 (42 U.S.C. 1396a(a)(13)(E)) is amended by striking “(B)  
23 or (C)” and inserting “(B), (C), or (D)”.

1 **SEC. 4. EFFECTIVE DATE.**

2 (a) IN GENERAL.—The amendments made by this  
3 Act shall apply to calendar quarters beginning on or after  
4 January 1, 1996, without regard to whether or not final  
5 regulations to carry out such amendments have been pro-  
6 mulgated by such date.

7 (b) SPECIAL RULE FOR STATES REQUIRING LEGIS-  
8 LATION TO MODIFY MEDICAID PLANS.—In the case of  
9 a State plan for medical assistance under title XIX of the  
10 Social Security Act which the Secretary of Health and  
11 Human Services determines requires State legislation  
12 (other than legislation appropriating funds) in order for  
13 the plan to meet the additional requirements imposed by  
14 the amendments made by this Act, the State plan shall  
15 not be regarded as failing to comply with the requirements  
16 of such title solely on the basis of its failure to meet these  
17 additional requirements before the first day of the first  
18 calendar quarter beginning after the close of the first reg-  
19 ular session of the State legislature that begins after the  
20 date of the enactment of this Act. For purposes of the  
21 previous sentence, in the case of a State that has a 2-  
22 year legislative session, each year of such session shall be  
23 deemed to be a separate regular session of the State legis-  
24 lature.

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